

**DEPARTMENT OF JUVENILE JUSTICE**  
**RESIDENTIAL AND CORRECTIONAL FACILITIES**  
**SOUTH REGION**

**MANAGEMENT REVIEW FORM**

**TO:** Jerry Blanton  
RCF- South Region

**FROM:** Jasir Diab  
YSI – Thompson Academy

**DATE:** 3/03/04

**OIG CASE #:** 2004-01024

**DATE OF INCIDENT:** 2/25/04

**DATE INCIDENT REPORTED:** 2/26/04

**SUBJECT:** Management Review on:  
(Serious Injury requiring outside medical attention)

**SYNOPSIS OF INCIDENT/COMPLAINT/ALLEGATION:**

At approximately 7:25 pm Youth [REDACTED] and other youth from Hendry Unit were being escorted back to their Unit from the cafeteria. Youth Counselor Michel directed Youth [REDACTED] to throw his cup in the trash. Youth [REDACTED] responded by knocking the cup at Youth Counselor Michel. Youth Counselor Michel directed the youth [REDACTED] to apologize. Youth [REDACTED] told Youth Counselor Michel "Fuck You" and walked towards Youth Counselor Michel with his hands closed. Youth [REDACTED] was grabbed by his wrist but slapped Youth Counselor Michel's hand and pulled away. Youth Counselor Michel used a control technique and transitioned into a hammer lock. Mr. Michel then escorted youth [REDACTED] to the cafeteria wall where he held him for about 30 to 40 seconds. Youth [REDACTED] complied and was released and told by Youth Counselor Michel to rejoin his group. At approximately 9:00 pm on February 25, 2004 committed youth [REDACTED] was transported to Memorial Urgent Care Pembroke Pines. Youth [REDACTED] complained about pain in his left arm after being restrained by Youth Counselor Moise Michel. Youth [REDACTED] was examined by Ithohan Aihie Thompson Academy RN. Medical professionals at Urgent Care determined that he had sustained a fracture to his left elbow at approximately 10:30 pm. Youth [REDACTED] was placed in a cast and released from Urgent Care at approximately 10:55 pm.

#### **FINDINGS:**

- Youth [REDACTED] left elbow bone was cracked when he was restrained by Youth Counselor Michel.
- Youth Counselor Michel used a PAR technique not approved by the program the Hammer Lock.
- Youth Counselor Michel admitted when interviewed that he was not trained by YSI on the use of this move and that he was told it was not approved.
- Youth counselor Michel used more force than was needed to handle the situation, and did not call for staff support as he was trained.

#### **CONCLUSION: .**

Youth [REDACTED] received immediate medical attention for his injuries. The facility initiated an internal investigation. Youth Counselor Michel was placed on Administrative Leave pending the out come of all investigations. Youth [REDACTED] made a call to the Abuse Hotline on 2-27-04. The OIG was notified that a complaint of abuse was made on the reported B-List Incident. The OIG accepted the call as an A-List reportable incident and assigned a number.

#### **CORRECTIVE ACTION TAKEN:**

- Youth Counselor Michel employment was terminated with YSI.
- Staff will receive additional program training on 3/6/04 and 3/7/04.
- Staff were reprimand for not providing sight and sound supervision
- Shift supervisors will increase supervision and security by making unannounced visits to all areas of the facility

Allegation / Classification

Findings

Action

**DEPARTMENT OF JUVENILE JUSTICE  
OFFICE OF THE INSPECTOR GENERAL  
BUREAU OF INVESTIGATIONS  
Incident/Complaint Report Form  
Electronic Version for "B" List Reports**

YSL - Thompson Academy	Broward	
Facility/Program/Office Name	County	O.I.G. Case Number
17	South	
Circuit #	Region	Branch

Reporting Person/Title:	Mark Hite / Assistant Facility Administrator	Local Telephone # (954) 967-6300	SunCom # N/A
Contact Person/Title	Jasir Diab / Facility Administrator	(954) 967-6300	N/A
Date Email Sent	2/26/04	Time Email Sent	2:35 hrs
Date of Incident	2/25/04	Time of Incident	Approx. 2:30 hrs

Specific Place/Location of Occurrence: Cafeteria

\*For all juveniles, reporting persons must include either a JJIS # or SSN. SSN is also needed for staff (subjects only) on the following types of incidents: employee arrests and abuse allegations (physical and sexual)

Name of Complainant(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
Mark A. Hite	Assistant Facility Admin		223-15-6777	B/M	6/13/64

Name of Victim(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
██████████	Youth / Committed	6	██████████	B/M	██████████
<hr/>					
<hr/>					
Name of Subject(s)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
Moise Michel	Youth Counselor	6	590-33- 0081	B/M	3/28/67
<hr/>					
<hr/>					
Name of Witness(es)	Position/Title	Level	SSN/JJIS#	Race/Sex	D.O.B.
██████████	Committed Youth	6	██████████	B/M	██████████
<hr/>					
██████████	Committed Youth	6	██████████	W/M	██████████
<hr/>					
██████████	Committed Youth	6	██████████	B/M	██████████
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**Detailed Background Narrative of Incident/Complaint:**

At approximately 7:25 pm Youth ██████████ and other youth from Hendry Unit were being escorted back to their Unit from the cafeteria. Youth Counselor Michel directed Youth ██████████ to throw his cup in the trash. Youth ██████████ responded by kicking the cup at Youth Counselor Michel. Youth Counselor Michel directed the youth ██████████ to apologize. Youth ██████████ told Youth Counselor Michel "F You" and walked towards Youth Counselor Michel with his hands closed. Youth ██████████ was grabbed by his wrist but slapped Youth Counselor Michel's hand and pulled away. Youth Counselor Michel used a control technique and transitioned into a hammer lock. Mr. Michel then escorted youth ██████████ to the cafeteria wall where he held him for about 30 to 40 seconds. Youth ██████████ complied and was released and told by Youth Counselor Michel to rejoin his group. At approximately 9:00 pm on February 25, 2004 committed youth ██████████ was transported to Memorial Urgent Care Pembroke Pines. Youth ██████████ complained about pain in his left arm after being restrained by Youth Counselor Moise Michel. Youth ██████████ was examined by Ithohan Aihle Thompson Academy RN. Medical professionals

at Urgent Care determined that he had sustained a fracture to his left elbow at approximately 10:30 pm. Youth [REDACTED] was placed in a cast and released from Urgent Care at approximately 10:55 pm.

**Immediate Action Taken/Current Status of Situation:**

Youth [REDACTED] was given immediate medical care. An internal incident report, Par report and witness statements were collected. Youth [REDACTED] was transported to Memorial Urgent Care Pembroke Pines where he received professional medical attention. Youth Counselor Michel used the Par technique a Hammer lock during the incident which is not approved for use by YSI Thompson Academy staff. Youth Counselor Michel was placed on Administrative suspension pending the out come of the facility investigation.

## Individuals/Agencies Notified:

Name	Contact Person	Date	Time
Law Enforcement (LE)			
If LE contacted:			
DJJ Regional Director	Darryl Olson	2/26/04	5:30 pm
DJJ Security Chief			
DJJ Contract Monitor	Jerry Blanton	2/26/04	4:20 pm
Abuse Registry (abuse operator name and operator #)			
State Attorney			
Judge			
Circuit Manager			
JPO			
Other	Eric Gallon (YSI Corp.)	2/26/04	9:13 pm

For Escapes

(A) Committing Offense(s):

(B) Home City and County:

(C) Law Enforcement Home City and County Notified? ☐ Yes ☐ No

(D) Staff/Juvenile Ratio: 1-8.5

For Arrests of Employees

(A) Did Arrest Occur During Official Work Time? ☐ Yes ☐ No

(B) Did Arrest Occur While Employee in State/Provider Vehicle? ☐ Yes ☐ No

(C) Was Employee in State/Provider Uniform? ☐ Yes ☐ No

(D) Was the State/Provider ID Misrepresented? ☐ Yes ☐ No

(E) How Long Has Person Been Employed? \_\_\_\_\_

(F) What is Employee's Disciplinary History?



The Residential & Correctional Facilities South Region Office received the following report. This tracking sheet is provided to you, to have the following identified information and documents submitted to your Program Monitor in conjunction with the submission of the Management Review for this Incident.

Note: Management Review must be submitted within five days after the incident.

Program Name:

THOMPSON ACADEMY

OIG Number:

0004-01024

Date of Incident:

2-25-04

Victim (s):

Subject (s):

MOISE MICHELLE

Brief Description of Incident:

VICTIM ALLEGED ABUSE DURING  
A RESTRAINT THAT CAUSED A  
FRACTURED BONE IN HIS RIGHT  
ELBOW

(CSA) Child Safety Assessment Number:

Abuse/Neglect Data Form:

PLEASE INCLUDE w/ MANAGEMENT  
REVIEW

(IDS) Investigation Decision Summary Report

Regional Comments for follow up response:

Please follow up on  
BSO investigation work  
NLOH 3/1/04  
3/2/2004  
For Management Review  
is due 3/8/2004 - please follow  
up on above comment.  
Jhon Davis copied 3-2-04  
3/4 - Mgmt rev. submitted -  
- Case still open per CPI - 11:19 am  
Contacted on Admin. less pending  
outcome of CPI investigation  
J

Management Review/ Substantiated Findings/  
Corrective Action:





DEPARTMENT OF JUVENILE JUSTICE  
OFFICE OF THE INSPECTOR GENERAL  
Incident/Complaint Report Form

District: 10 Broward

Case Number: 200401024

Entered By: DISHMANCJ

Region: Southern  
Def. Region: South

Circuit: Seventeenth Circuit  
Description: Residential

Facility/Program/Office: Thompson Academy  
Level 6

Reporting Person (s):

Hite, Mark

Assistant Program Administrator ()

Phone #

SUNCOM #

(954) 967-6300

Contact Person:

Hite, Mark

Assistant Program Administrator ()

(954) 967-6300

Date of Report: February 27, 2004

Time of Report: 2:36 PM

Date of Incident: February 25, 2004

Time of Incident: 7:25 PM

Specific Place of Occurrence: Dining Hall

Complainant(s) Name	Level	Status	Local #	SUNCOM #
Alleged Victim(s) Name	Level	Status	Local #	SUNCOM #
[REDACTED]	6	SCJ	( ) _____	_____
Committed Juvenile(s) [REDACTED]				
Alleged Subject(s) Name	Level	Status	Local #	SUNCOM #
Michelle, Moise	0	SP	( ) _____	_____
Youth Care Worker I ( 3/28/67 B / Male )				
Alleged Witness(es) Name	Level	Status	Local #	SUNCOM #



**DEPARTMENT OF JUVENILE JUSTICE  
OFFICE OF THE INSPECTOR GENERAL  
Incident/Complaint Report Form**

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**District:** 10 Broward

**Case Number:** 200401024

**Entered By:** DISHMANCJ

**Background Information:**

The victim was being escorted from the dining hall and was told by staff to throw a cup away. The victim took the cup and kicked it at staff. Staff then told the victim to apologize and the victim responded by saying "fuck you". The victim then walked towards staff with his fists balled up and was then grabbed by his wrists by staff. The victim then slapped staff's hands away and then pulled his body away. Staff then used a control technique and then performed a hammerlock position. Staff then positioned the victim up against the wall for about 30 to 40 seconds. The victim complied and was told by staff to return to his group. The victim complained of pain to his left arm after being restrained by staff and was taken to medical for initial treatment.

**Immediate Action Taken:**

The victim was transported to Urgent Care of Pembroke Pines for further treatment. The victim had x-rays and was diagnosed as having a fractured bone in his right elbow as a result of the restraint. On 2/27/04, the victim contacted the AR to alleged physical abuse by staff. The AR accepted the case for investigation (Carlos #5136). This incident was originally e-mailed into the hotline as a 'B' list incident and has since been upgraded to an 'A' list, since the victim contacted the AR. The subject has been placed on administrative leave pending the outcome of the internal investigation.

**CLASSIFICATION SECTION - This incident as reported is classified as identified below:**



DEPARTMENT OF JUVENILE JUSTICE  
OFFICE OF THE INSPECTOR GENERAL  
Incident/Complaint Report Form

District: 10 Broward

Case Number: 200401024

Entered By: DISHMANCJ

**ASSIGNMENT SECTION** - This incident is logged and assigned as identified below:

- ☐ A. This case has been assigned to an IG Specialist for:  
☐ Investigation ☐ Inquiry
- ☐ B. This case has been assigned for Special Review. A Special Review Team will be appointed by the Secretary to determine appropriate action.
- ☐ C. This case has been assigned for Administrative Review and any appropriate actions deemed necessary by management.  
☐ Administrative Review ☐ Program Review
- ☐ D. This case has been assigned or referred to an outside agency for review or investigation.
- ☐ E. This case has been filed for information purposes.
- ☐ F. This case has been assigned to the Sheriff's Office (Internal Affairs Unit) for investigation.
- ☐ G. This case has been assigned for HomeSafenet tracking.
- ☐ H. This case has been assigned for Arrest tracking.
- ☐ I. This case was originally assigned for HomeSafenet tracking; however, it was reassigned for investigation/inquiry or administrative review based upon indicators of abuse, excessive corporal punishment, etc. being found by the Abuse Registry.
- ☐ J. Other.
- ☐ K. Special Instructions - Please submit the following:

Assignment Type	Person Assigned	Assigned Date	Completion Date
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Note: Management Review must be submitted within five days after the incident.

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MOISE MICHELLE

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A RESTRAINT THAT CAUSED A  
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ELBOW

(CSA) Child Safety Assessment Number:

Abuse/Neglect Data Form:

PLEASE INCLUDE w/ MANAGEMENT  
REVIEW

(IDS) Investigation Decision Summary Report

Regional Comments for follow up response:

Please follow up on  
BSO investigation with

W/COH 3/1/04

3/2/2004

For Management Review  
is due 3/9/2004 - please follow  
up on above comment.  
Jhon Davis Copied 3-2-04

3/4 - Mgmt rev. submitted -

- Case still open per CPT - 11:19 am  
Contacted on Admin. team pending  
outcome of CPE investigation

3/10/04 - 2:15 pm - 9:12 am

Spoke to Mr. Hite - will  
be submitted by COB today -

3/11/04 - submitted - P

J

Management Review/ Substantiated Findings/  
Corrective Action:

DEPARTMENT OF JUVENILE JUSTICE  
RESIDENTIAL AND CORRECTIONAL FACILITIES  
SOUTH REGION

MANAGEMENT REVIEW FORM

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RCF- South Region

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- Youth counselor Michel used more force than was needed to handle the situation, and did not call for staff support as he was trained.

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#### **CORRECTIVE ACTION TAKEN:**

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- Staff will receive additional program training on 3/6/04 and 3/7/04.
- Staff were reprimand for not providing sight and sound supervision
- Shift supervisors will increase supervision and security by making unannounced visits to all areas of the facility

Allegation / Classification

Findings

Action



**Allegation / Classification**

Abuse allegation accepted by  
Abuse registry where outside medical  
Required

**Findings**

Inappropriate force used by staff

**Action**

Staff termination